

Suspend the Rules and Pass the Bill, HR. 886, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

112TH CONGRESS
1ST SESSION

H. R. 886

To require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2011

Mr. WOMACK (for himself, Mr. ROSS of Arkansas, Mr. GRIFFIN of Arkansas, Mr. CRAWFORD, Mrs. BLACKBURN, Mr. WESTMORELAND, Mrs. MALONEY, Mr. RANGEL, Mr. COFFMAN of Colorado, Ms. NORTON, and Mr. MCKINLEY) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United States Mar-
3 shals Service 225th Anniversary Commemorative Coin
4 Act”.

5 **SEC. 2. FINDINGS.**

6 The Congress hereby finds as follows:

7 (1) The United States Marshals, the first Fed-
8 eral law enforcement officers in America, were estab-
9 lished under section 27 of the Act of Congress enti-
10 tled “Chapter XX.—An Act to Establish the Judi-
11 cial Courts of the United States” and enacted on
12 September 24, 1789 (commonly referred to as the
13 “Judiciary Act of September 24, 1789”), during the
14 1st Session of the 1st Congress, and signed into law
15 by the 1st President of the United States, George
16 Washington.

17 (2) George Washington had carefully considered
18 the appointments to the Judicial Branch long before
19 the enactment of the Judiciary Act of September 24,
20 1789, and nominated the first 11 United States
21 Marshals on September 24, and the remaining two
22 Marshals on September 25, 1789. The Senate con-
23 firmed all 13 on September 26, 1789, 2 days after
24 the Judiciary Act was signed into law.

25 (3) In 1969, by order of the Department of
26 Justice, the United States Marshals Service was cre-

1 ated, and achieved Bureau status in 1974. The
2 United States Marshals Service has had major sig-
3 nificance in the history of the United States, and
4 has directly contributed to the safety and preserva-
5 tion of this Nation, by serving as an instrument of
6 civil authority used by all 3 branches of the United
7 States Government.

8 (4) One of the original 13 United States Mar-
9 shals, Robert Forsyth of Georgia, a 40-year-old vet-
10 eran of the Revolutionary War, was the first civilian
11 official of the United States Government, and the
12 first of many United States Marshals and deputies,
13 to be killed in the line of duty when he was shot on
14 January 11, 1794, while trying to serve civil process.

15 (5) The United States Marshals Service Com-
16 memorative Coin will be the first commemorative
17 coin to honor the United States Marshals Service.

18 (6) The United States should pay tribute to the
19 Nation's oldest Federal law enforcement agency, the
20 United States Marshals Service, by minting and
21 issuing commemorative coins, as provided in this
22 Act.

23 (7) A commemorative coin will bring national
24 and international attention to the lasting legacy of
25 this Nation's oldest Federal law enforcement agency.

1 (8) The proceeds from a surcharge on the sale
2 of such commemorative coins will assist the financ-
3 ing of national museums and charitable organiza-
4 tions.

5 **SEC. 3. COIN SPECIFICATIONS.**

6 (a) DENOMINATIONS.—In commemoration of the
7 225th anniversary of the establishment of the United
8 States Marshals Service, the Secretary of the Treasury
9 (hereafter in this Act referred to as the “Secretary”) shall
10 mint and issue the following coins:

11 (1) \$5 GOLD COINS.—Not more than 100,000
12 \$5 gold coins, which shall—

13 (A) weigh 8.359 grams;

14 (B) have a diameter of 0.850 inches; and

15 (C) contain 90 percent gold and 10 percent
16 alloy.

17 (2) \$1 SILVER COINS.—Not more than 500,000
18 \$1 coins, which shall—

19 (A) weigh 26.73 grams;

20 (B) have a diameter of 1.500 inches; and

21 (C) contain 90 percent silver and 10 per-
22 cent alloy.

23 (3) HALF DOLLAR CLAD COINS.—Not more
24 than 750,000 half dollar coins, which shall—

25 (A) weigh 11.34 grams;

1 (B) have a diameter of 1.205 inches; and
2 (C) be minted to the specifications for half
3 dollar coins contained in section 5112(b) of title
4 31 United States Code.

5 (b) LEGAL TENDER.—The coins minted under this
6 Act shall be legal tender, as provided in section 5103 of
7 title 31, United States Code.

8 (c) NUMISMATIC ITEMS.—For purposes of section
9 5134 of title 31, United States Code, all coins minted
10 under this Act shall be considered to be numismatic items.

11 **SEC. 4. DESIGN OF COINS.**

12 (a) DESIGN REQUIREMENTS.—

13 (1) IN GENERAL.—The design of the coins
14 minted under this Act shall be emblematic of the
15 225 years of exemplary and unparalleled achieve-
16 ments of the United States Marshals Service.

17 (2) DESIGNATION AND INSCRIPTIONS.—On
18 each coin minted under this Act there shall be—

19 (A) a designation of the value of the coin;

20 (B) an inscription of—

21 (i) the mint date “2015”; and

22 (ii) the years 1789 and 2014; and

23 (C) inscriptions of the words “Liberty”,
24 “In God We Trust”, “United States of Amer-
25 ica”, and “E Pluribus Unum”, and such other

1 inscriptions as the Secretary may determine to
2 be appropriate for the designs of the coins.

3 (3) COIN IMAGES.—

4 (A) \$5 GOLD COINS.—

5 (i) OBVERSE.—The obverse of the \$5
6 coins issued under this Act shall bear an
7 image of the United States Marshals Serv-
8 ice Star (also known as “America’s Star”).

9 (ii) REVERSE.—The reverse of the \$5
10 coins issued under this Act shall bear a de-
11 sign emblematic of the sacrifice and service
12 of the men and women of the United
13 States Marshals Service who lost their lives
14 in the line of duty and include the Mar-
15 shals Service motto “Justice, Integrity,
16 Service.”

17 (B) \$1 SILVER COINS.—

18 (i) OBVERSE.—The obverse of the \$1
19 coins issued under this Act shall bear an
20 image of the United States Marshals Serv-
21 ice Star (also known as “America’s Star”).

22 (ii) REVERSE.—The reverse of the \$1
23 silver coins issued under this Act shall bear
24 an image emblematic of the United States
25 Marshals legendary status in America’s

1 cultural landscape. The image should de-
2 pict Marshals as the lawmen of our fron-
3 tiers, including their geographic, political,
4 or cultural history, and shall include the
5 Marshals Service motto “Justice, Integrity,
6 Service”.

7 (C) HALF DOLLAR CLAD COINS.—

8 (i) OBERVERSE.—The obverse of the
9 half dollar clad coins issued under this Act
10 shall bear an image emblematic of the
11 United States Marshals Service and its
12 history.

13 (ii) REVERSE.—The reverse of the
14 half dollar clad coins issued under this Act
15 shall bear an image consistent with the
16 role that the United States Marshals
17 played in a changing nation, as they were
18 involved in some of the most pivotal social
19 issues in American history. The image
20 should show the ties that the Marshals
21 have to the United States Constitution,
22 with themes including—

23 (I) the Whiskey Rebellion and
24 the rule of law;

1 (II) slavery and the legacy of in-
2 equality; and

3 (III) the struggle between labor
4 and capital.

5 (4) REALISTIC AND HISTORICALLY ACCURATE
6 DEPICTIONS.—The images for the designs of coins
7 issued under this Act shall be selected on the basis
8 of the realism and historical accuracy of the images
9 and on the extent to which the images are reminis-
10 cent of the dramatic and beautiful artwork on coins
11 of the so-called “Golden Age of Coinage” in the
12 United States, at the beginning of the 20th Century,
13 with the participation of such noted sculptors and
14 medallic artists as James Earle Fraser, Augustus
15 Saint-Gaudens, Victor David Brenner, Adolph A.
16 Weinman, Charles E. Barber, and George T. Mor-
17 gan.

18 (b) SELECTION.—The design for the coins minted
19 under this Act shall be—

20 (1) selected by the Secretary, after consultation
21 with the Director of the United States Marshals
22 Service and the Commission of Fine Arts; and

23 (2) reviewed by the Citizens Coin Advisory
24 Committee.

1 **SEC. 5. ISSUANCE OF COINS.**

2 (a) **QUALITY OF COINS.**—Coins minted under this
3 Act shall be issued in proof quality and uncirculated qual-
4 ity.

5 (b) **MINT FACILITY.**—Only 1 facility of the United
6 States Mint may be used to strike any particular combina-
7 tion of denomination and quality of the coins minted under
8 this Act.

9 (c) **COMMENCEMENT OF ISSUANCE.**—The Secretary
10 may issue coins, to the public, minted under this Act be-
11 ginning on or after January 1, 2015, except for a limited
12 number to be issued prior to such date to the Director
13 of the United States Marshals Service and employees of
14 the Service for display and presentation during the 225th
15 Anniversary celebration.

16 (d) **TERMINATION OF MINTING AUTHORITY.**—No
17 coins may be minted under this Act after December 31,
18 2015.

19 **SEC. 6. SALE OF COINS.**

20 (a) **SALE PRICE.**—The coins issued under this Act
21 shall be sold by the Secretary at a price equal to the sum
22 of—

23 (1) the face value of the coins;

24 (2) the surcharge provided in section 7(a) with
25 respect to such coins; and

1 (3) the cost of designing and issuing the coins
2 (including labor, materials, dies, use of machinery,
3 overhead expenses, marketing, and shipping).

4 (b) PREPAID ORDERS.—

5 (1) IN GENERAL.—The Secretary shall accept
6 prepaid orders for the coins minted under this Act
7 before the issuance of such coins.

8 (2) DISCOUNT.—Sale prices with respect to pre-
9 paid orders under paragraph (1) shall be at a rea-
10 sonable discount.

11 **SEC. 7. SURCHARGES.**

12 (a) IN GENERAL.—All sales of coins minted under
13 this Act shall include a surcharge as follows:

14 (1) A surcharge of \$35 per coin for the \$5 gold
15 coin.

16 (2) A surcharge of \$10 per coin for the \$1 sil-
17 ver coin.

18 (3) A surcharge of \$3 per coin for the half dol-
19 lar coin.

20 (b) DISTRIBUTION.—Subject to section 5134(f) of
21 title 31, United States Code, the Secretary shall promptly
22 distribute all surcharges received from the sale of coins
23 issued under this Act as follows:

24 (1) The first \$5,000,000 available for distribu-
25 tion under this section, to the U.S. Marshals Mu-

1 seum, Inc., also known as the United States Mar-
2 shals Museum, for the preservation, maintenance,
3 and display of artifacts and documents.

4 (2) Of amounts available for distribution after
5 the payment under paragraph (1)—

6 (A) One third shall be distributed to the
7 National Center for Missing & Exploited Chil-
8 dren, to be used for finding missing children
9 and combating child sexual exploitation.

10 (B) One third shall be distributed to the
11 Federal Law Enforcement Officers Association
12 Foundation, to be used—

13 (i) to provide financial assistance
14 for—

15 (I) surviving family members of
16 Federal law enforcement members
17 killed in the line of duty;

18 (II) Federal law enforcement
19 members who have become disabled;
20 and

21 (III) Federal law enforcement
22 employees and their families in select
23 instances, such as severe trauma or fi-
24 nancial loss, where no other source of
25 assistance is available;

1 (ii) to provide scholarships to students
2 pursuing a career in the law enforcement
3 field; and

4 (iii) to provide selective grants to
5 charitable organizations.

6 (C) One third shall be distributed to the
7 National Law Enforcement Officers Memorial
8 Fund, to support the construction of the Na-
9 tional Law Enforcement Museum and the pres-
10 ervation and display of its artifacts.

11 (c) AUDITS.—All organizations, associations, and
12 funds shall be subject to the audit requirements of section
13 5134(f)(2) of title 31, United States Code, with regard
14 to the amounts received under subsection (b).

15 (d) LIMITATION.—Notwithstanding subsection (a),
16 no surcharge may be included with respect to this issuance
17 under this Act of any coin during a calendar year if, as
18 of the time of such issuance, the issuance of such coin
19 would result in the number of commemorative coin pro-
20 grams issued during such year to exceed the annual 2
21 commemorative coin program issuance limitation under
22 section 5112(m)(1) of title 31, United States Code (as in
23 effect on the date of the enactment of this Act). The Sec-
24 retary of the Treasury may issue guidance to carry out
25 this subsection.